

REMARKS

Claims 9, 10 and 17 remain in this application. None of the claims were amended in this response.

Claims 9, 10 and 17 were rejected under 35 U.S.C. §103(a) as being anticipated by *Salmela* et al. (U.S. Patent No. 6,516,193) in view of *Keller* et al. (U.S. Patent No. 6,496,689). For the following reasons, Applicants respectfully traverse the Examiner's rejection and respectfully request the withdrawal thereof.

The cited art, alone or in combination, does not disclose "updating the position of the mobile communication terminal during the call, wherein the position update is SCP initiated and transmitted by a USSD request with time intervals of the update being service-specific," along with the related features recited in claim 9.

The Office Action conceded that *Salmela* does not teach these features. Accordingly, the Office Action relied on the teaching in *Keller* in this regard. However, *Keller* does not solve the deficiencies of *Salmeda*. *Keller* discloses location information indicating means adapted to identify a location information for a cell where the mobile station is currently roaming. The location information is output to a charging application via the unstructured supplementary service data dialogue, where the service may further be routed back and forth between two home public land mobile networks (HPLMN) instead of using a national or local link. The location of the calling mobile station and the called mobile station is incorporated into the provision of charging information, and is updated during roaming of the calling and called mobile station to enable a call back feature in the mobile station MS (col. 5, lines 1-22).

In the embodiments of FIG.s 4-7, *Keller* teaches USSD dialogues where the charging unit 10-1, 10-2, 10-3, and 10-4 of at least one network node and the charging indication unit 6 at the mobile station MS exchange charging information as unstructured supplementary service data USSD at the beginning of a service. Alternately, the messages may be exchange at regular intervals (FIG. 5a), continuously (FIG. 5b), in parallel (FIG. 6) or before establishment of a service (FIG. 7). In the embodiment of FIG. 5a, the position update is not SCP initiated (i.e., from a network node), but is done through the mobile station. *Keller* discloses that each mobile service switching centre MSC is connected to a visitor location register VLR that dynamically stores mobile station information, such as the location area in case the mobile station is located

in the service area covered by the visitor location register VLR. When a roaming mobile station MS enters a service area assigned to a specific mobile service switching centre MSC the mobile service switching centre MSC informs the associated visitor location register VLR about the mobile station MS (FIG. 9, col. 1, line 63 – col. 2, line 28). Under the above embodiments, location information is transferred using an USSD-dialogue whenever the mobile station MS detects a change of the valid base station identity code BSIC or other management related information. Thus, the dialogues are initiated from the mobile station, and not through the nodes.

Also, *Keller* does not teach that the time intervals are service-specific, as recited in the present claims. In the passage cited in the Office Action (col. 10, lines 1-7), the embodiment of FIG. 7 merely described receiving charging information (i.e., how much it will cost the user) for service-specific criteria. No updating is performed in *Keller*, as it is used merely as cost information for a user to determine whether or not he/she wants to connect to the service in the first place.

In light of the above, Applicants respectfully submit that independent claim 9 of the present application, as well as claims 10 and 17 which respectfully depend therefrom, are both novel and non-obvious over the art of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this Application as a whole, the office is hereby authorized to deduct said fees from deposit account number 02-1818. If such a deduction is made, please indicate the Attorney Docket No. (0112740-518) on the account statement.

Respectfully submitted,

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